

Legislators are focused on the state budget right now

The Legislative Committee of the NYSCC reports that there 148 bills have been introduced this session that are of interest to the sporting community. This list will continue to grow. Until the budget is passed. It will not be until April first or so that Legislators will turn their attention to new laws. Right now they are horse-trading for budget appropriations for their respective districts.

The current list of bills includes 4 related to access to lands and liability protections for land-owners, 12 related to administrative issues such as the right to hunt, trap and fish, 11 that deal with ATV-Snowmobile issues, 3 that address big game hunting issues, 7 that address use of crossbows, 7 that provides access and reduced fees for people with disabilities, 10 bills that establish new laws and regulations for ownership, sale and use of dogs, 3 addressing hunter education in schools, **27 dealing with firearms issues like Assembly Bill A7771**, 7 bills that regulate firearms use for kids under 16, 5 bill creating new laws and regulation dealing with fish, fishing and fish stocking, 3 bill dealing with Hunter Education, 4 bill dealing with Hunting, 2 bills that address cruelty to wildlife and hunting, 3 bills limiting use of lead ammo, 10 bills dealing with Sporting Licenses, free licenses, sporting fee waivers, 13 bills that make special provisions of military and veterans, 4 bills dealing with small game hunting, 2 bill providing tax credits for forest owners, 4 bill regulating trapping, and 5 bills banning import and sale of big game animals.

We should be concerned every time the Legislature (Senate or Assembly) gets involved with fish and wildlife management. When they do we end up with a patchwork of hunting, fishing, and trapping regulations and Environmental Conservation Laws and can be difficult to understand.

Next month I will distribute a list of your elected representatives and a whittle down list of bills that we need to be concerned about.

Changes to Freshwater Fishing Regulations

Highlights of the proposal include:

New rules for trout management in ponded waters, which consolidates 143 waterbody and 33 county-wide special regulations (PDF) into a new statewide regulation that permits anglers to harvest five fish per day, only two of which can be greater than 12 inches in length. The proposal seeks to better align regulations with intended outcomes. Most inland ponds and lakes stocked with brown trout and rainbow trout are managed for put-and-take or put-grow-and-take fisheries. Waters managed for these species and purpose are proposed to be open all year, while brook trout ponds, which are largely managed for self-sustaining wild populations, will be closed to fishing between Oct. 16 and March 31. This rule will increase the longevity of stocked brook trout that are highly vulnerable to ice fishing.

Removing the statewide closed season restriction on lake trout and Atlantic salmon. Keeping the season open year-round consolidates 24 lake trout (PDF) and 33 Atlantic salmon (PDF) waterbody-specific regulations into statewide regulations consistent with current management practices, as over the years a greater number of these waters have been open all year under special regulations. In addition, six outdated lake trout and five unnecessary Atlantic salmon special regulations are proposed to be eliminated.

Allowing ice fishing unless specifically prohibited in New York, except for Essex, Franklin, Fulton, Hamilton, Herkimer, Lewis, St. Lawrence, Warren, and Washington counties, where the existing "ice fishing is prohibited unless specifically permitted in waters inhabited by trout" regulation will still apply. Trout fishing in ponds is currently allowed in most other waters, so allowing it statewide with the nine-county exception will reduce the number of special regulations needed overall.

DEC is proposing that all sportfish seasons begin and end on specific dates. Notable changes to statewide opening dates are:

May 1 for walleye, northern pike, pickerel, and tiger muskellunge;

June 1 for muskellunge; June 15 for black bass; and

Aligning special regulations with new season dates for these species.

Eliminating the current three-fish-per-day daily walleye limit in Oneida Lake and reverting to the statewide five-fish-per-day limit due to the abundant adult walleye population (PDF).

Correcting a previous rule change omission by changing the daily limit for steelhead on the Lower Niagara River from three to two fish per day.

Establishing a no-limit, all-year season and 12-inch-minimum length restriction for walleye on Skaneateles Lake to suppress this introduced species, which has the potential to negatively impact the lake's high-quality trout and salmon fishery.

Banning snatching and spearing in select waters.

2021—2022 Deer Season Issues

Epizootic Hemorrhagic Disease - EHD - struck again this season and expanded its range. During the 2020-2021 season it was concentrated in Southeast NY. This year it went west and north, all the way into the Southern Tier and the east of Lake Ontario.

Harvest data is not available yet but reports from around the state show that the disease hit some areas heavy, while having negligible effect on others.

There have been no reports of Chronic Wasting Disease - CWD - and the Department will continue to look at regulations to hold it at bay. That may at some point include limiting or banning the use of natural deer urine attractants.

The latest concern in the presence of Covid-19 in the deer herd. The Animal and Plant Health Inspection Service of the Department of Agriculture (APHIS) collected a total of 481 samples between January 2020 and March 2021 from Illinois, Michigan, New York, and Pennsylvania. SARS-CoV-2 antibodies were detected in 33 percent of those samples. The results varied by State (Illinois = 7 percent of 101 samples contained antibodies; Michigan = 67 percent of 113 samples; New York = 19 percent of 68 samples; and Pennsylvania = 31 percent of 199 samples). Although the results indicate that certain white-tailed deer populations in these States were exposed to SARS-CoV-2, they should not be extrapolated to represent the prevalence of SARS-CoV-2 antibodies in the deer populations as a whole.

How the deer are being exposed remains undetected. Deer infected with Covid can be eaten.

HRSIs for 2022 - 2021 Season

The good news is that there were no youth-involved Hunting Related Shooting Incidents during the season. This is an important issue because the State Legislature mandated a report from DEC because of the legislation allowing 12-year-olds to hunt deer with rifles, shotguns, and crossbows. The bill has a sunset clause, so any incident would be a problem.

Target Shooting Not Allowed on Wildlife Management Areas

Part 51 Regulations prohibit target shooting on Wildlife Management Areas (WMAs). The only WMA in Dutchess County is Tivoli Bays in the Town of Red Hook. The Conservation Fund Advisory Board (CFAB) has been pressing DEC to develop a few public ranges across the state, there has been no progress made. Pittman Robertson funds could be used for range development, but the anti-gun sentiment in New York has been hard to overcome.

DEC Staff Changes

The Director of Wildlife Tony Wilkinson retired last summer and now has been replaced by Jackie Lundrum. Lundrum does not have a fish and game background, she is a water scientist. She and her husband are 9th generation farmers. We can only hope!

The Director of Law Enforcement (DLE) Bernie Rivers also retired last summer and now has been replaced by Captain Karen Przyklek. Przyklek has had a 26-year career with DLE. Przyklek is the Division's first woman director.

Boone & Crockett Policy Changes on Electronics

Technical advances in hunting equipment have caused the Boone and Crockett Club to evaluate its policy on the use of technology as it relates to the harvest of animals that are eligible for entry into the Boone & Crockett Record Books. The new policy became effective back in December.

At issue is the use of trail cameras that can transmit images via wireless technology, smart rifle scopes, and GPS-enabled technology. In some minds, the quest for efficiency is on a collision course with hunting ethics.

Because of the growing popularity of trail cameras, they have been banned by number of states, with perhaps more on the way. The wireless transmission models were the first to go, but a couple of states are now targeting all trail cameras. Also in their sights are two-way radios, cell phones, night vision devices, range finders built into rifle scopes, drones and thermal imaging devices.

DEC implements new Stream Management Plan

As you probably have heard, the DEC released a new Trout Stream Management Plan that changed stocking protocols for every trout stream in the state. The NYSDEC's Catch Rate Oriented Trout Stocking (CROTS) model was designed to provide anglers a high quality trout fishery and was based on several assumptions including natural mortality rate, angler effort, catch and harvest rate, as well as wild trout densities and carrying capacity. These CROTS parameters are largely derived from fieldwork conducted during the late 1970's.

The new management philosophy will divide streams into reaches (section) that will be managed based on a combination of their ecological and recreational potential, with a clear distinction between wild trout and stocked trout management. Wild trout can be present in a stocked reach, but hatchery trout will not be stocked in a reach managed for wild trout. DEC Proposes Changes to Freshwater

WILDTROUT REACH			
Access	Public access	Public access	Significant access -- at least 3 cumulative miles of reach length in one or more of the following: • Public fishing rights • Public land • Public fishing permitted by landowner • Adequate angler parking
Size	Not applicable	Mean width >10 feet	Mean width >20 feet
Stream Reach Quality (Trout Carrying Capacity)	Meets C(T) ¹ or higher water quality standard or data exists to support C(T) classification	• wild trout biomass >40 lbs/acre or • ≥ 300 yearling or older trout/mile	• wild trout biomass >60 lbs/acre or ≥ 500 yearling or older trout/mile • abundance of wild trout ≥9 in • potential to catch memorable fish (12" ST, 15" RT or BT) ²
Angler Use	Not applicable	Not applicable	Reach can physically and biologically accommodate moderate to high angler use (>150 hr/acre)

STOCKED REACH			
Access	Access by one or more of the following: • Public fishing rights easements • Public land • Public fishing permitted by landowner		Significant access -- at least 3 cumulative miles of reach length in one or more of the following: • Public fishing rights • Public land • Public fishing permitted by landowner • Adequate angler parking
Size	Mean width >10 feet		Mean width >20 feet
Stream Reach Quality (Trout Carrying Capacity)	• Survival to end of May • Does not already support adequate fisheries for black bass or walleye, even though technically a trout stream • Must meet Bp ³ standard		• Reach conditions offer potential for spring-stocked trout to survive into summer • Temperatures generally suitable for regular stocking through mid-June or for two consecutive months • Must meet Bs ⁴ standard
Angler Use	>75 hours/acre		>150 hours/acre

DEC and Regulatory Issues

The Department of Environmental Conservation formed a Lead Ammo Task Force. The group has not issued a report as of this date. I have cautioned the Department to be very careful with any attempt at limited the use of lead ammo, which in itself can be difficult to find depending on Caliber or Gauge you are attempting to purchase.

A bill introduced last session would have banned the use of lead ammo on all state lands— that is, state forests, Multiple Use Areas, Wildlife Management Areas, and NYS Parks open for hunting. The bill would have also banned use of lead ammo on any lands that have feeder streams that enter New York City Reservoirs. In Dutchess County that would include the East Branch of the Croton River watershed in the Towns of Pawling Beekman.

The NYC Department of Environmental Protection currently reports that water tests of the system list Lead as N/D (non-detect). Lead arriving at taps in NYC is believed to be the result of aging infrastructure (old lead pipes) right in New York City.

I do not believe that New York City officials have asked the State Legislature to introduce this bill.

The bill did pass both house last session, but was not signed by the Governor.
